



The Task Force on Court Facilities  
303 Second Street, South Tower, San Francisco, CA 94107-1366



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**Meeting Report**  
Finance / Implementation Committee Meeting  
October 7, 1998  
Clarion Inn, Sacramento, CA

<b>TASK FORCE ATTENDEES:</b>	<b>PRESENTERS:</b> Mr. Jeff Buck, Daniel, Mann, Johnson & Mendenhall
<b>COMMITTEE MEMBERS:</b>	<b>TASK FORCE STAFF:</b> Mr. Bruce Newman – Facilities Planner
<b>PRESENT:</b> Mr. David Janssen, Chair Hon. Charles Smith Mr. Fred Klass Hon. Diane Wick Mr. Greg Abel	<b>CONSULTANTS TO THE TASK FORCE:</b> Mr. Dennis Shew, Daniel, Mann, Johnson & Mendenhall Mr. Thomas Gardner, Vitetta Group
<b>ABSENT:</b> Hon. Jerry Eaves	<b>GUESTS:</b> Ms. Kellie Bieber, Orange County Mr. Rick Dostal, Orange County Mr. Dean J. Felton, San Diego Municipal Court Mr. Drew Liebert, Assembly Judiciary Committee Mr. Rubin Lopez, California State Association of Counties (partial attendance) Ms. Carol Shearer, Deputy Administrative Officer, San Bernardino County

**I. MEETING LOGISTICS**

- 1) Committee members prefer to schedule meetings in conjunction with Task Force Meetings. Video conferencing was proposed as a convenient way for the committee to meet between task force meetings. Committee members will check if they have access to video conferencing equipment, its location, type, and compatibility with other systems.
- 2) Members noted that the next task force meeting, scheduled for November 18<sup>th</sup> & 19<sup>th</sup>, conflicts with the California State Association of Counties annual meeting. As a result, many task force members may not make the next meeting. Members agreed to raise this issue at today's task force meeting.
- 3) Mr. Buck suggested that committee members attend other committee meetings, when possible, to keep informed of issues that might impact this committee. He noted that during the July 27 & 28, 1998 the task force agreed that task force members may attend any committee meetings they wish, however, they may only vote in the committees to which they are assigned. To allow for this, schedules of all committee meetings must be distributed to all task force members. This is a procedural issue that will be raised at today's task force meeting.
- 4) The members reviewed Phase 5 project milestones for information gathering for:
  - a) Preliminary due January 1999
  - b) Draft due March 1999
  - c) Final due December 1999

## **II. CONSULTANT PRESENTATION:**

- 1) DMJM will look at how other states completed the transition to state-wide ownership of the court system.
- 2) Tom Gardner and Jeff Buck reviewed some of the key issues of phases 4 and 5 of the work plan. The questionnaire that was sent to all 50 states by the consultants requests information on what governmental entities and/or organizations have financial responsibility for their different court facilities programs. After collecting the surveys, the consultants will analyze the information received and identify organizational, facilities planning, and financing models in use by other states (centralized vs. decentralized etc.)
- 3) The consultant team will also be looking at financial and organizational models used in existing state-run agencies/institutions (Social Services, Corrections, Schools, and/or Roads). They will identify what is good and bad from each system to structure a model for the court facilities. The model will address:
  - a) Financing issues (source of funding state and local)
    - (1) General fund
    - (2) Special fund
    - (3) Specific fund
  - b) Budget request and allocation process
    - (1) Annually budgeted
    - (2) Direct grant
    - (3) Partial grant
    - (4) Restrictions and limits on expenditures
  - c) Site/project accountability
    - (1) Capitol budget projects managed by state
    - (2) Capitol budget projects managed by county
  - d) Organizational responsibilities for court facilities
    - (1) who decides to do maintenance, renovation or new construction
  - e) Ongoing maintenance issues (examples)
    - (1) Quality of services
    - (2) Amount and type of insurance to purchase
    - (3) Janitorial services
    - (4) Emergency response needs
    - (5) Space allocation
  - f) Renovation / remodel / new construction
    - (1) Scope of work
    - (2) RFPs
    - (3) Site selection
    - (4) Architect selection
    - (5) Design approval
    - (6) Construction management

## **III. DISCUSSION**

- 1) The members discussed the benefits of looking at different financing and organizational models used in other states and/or by different California Agencies. Mr. Janssen felt that it would be easier to get "buy in" to processes that already exist in California.
- 2) The members discussed the applicability of non-court models, both within California and in other states. Tom Gardner asked if Social Services, Corrections, Schools, and/or Roads Departments/Divisions would be valid models. Mr. Klass suggested using higher education, Community Colleges and Universities, as a model. He also stated that the committee needs to look at agencies that represent different funding possibilities; one that is entirely state funded, one that uses state and local funds, and one that uses only local funds.
- 3) Mr. Gardner suggested that a state level agency might be best represented by Department of Parks. Mr. Klass disagreed and suggested that both levels of Corrections be looked at.
- 4) Mr. Gardner noted that he would like to keep the investigation to 4 agencies to keep costs down. Mr. Janssen asked if the consultant wanted the members to make changes in their plan, noting that there could be cost implications. Mr. Buck emphasized that the consultants work for the task

- force and can redirect the consultants efforts. He noted that something which increased the scope of their efforts would require re-negotiation of fees.
- 5) Mr. Janssen asked the time frame for deciding on what information that needed to be collected. Mr. Buck said the decision needed to be made soon. The consultant team will be developing the database in the next 3-4 months and hope to capture everything there.
  - 6) Mr. Janssen asked if the committee would have the proposed questions for the phase 4 survey for discussion in the November meeting. Mr. Buck said the proposed survey will be presented; there is already a draft in the works. Mr. Abel asked when final input was needed on the questions. Mr. Buck noted that the proposed questions will be sent to the committee members a week before the next meeting and the hope was to discuss and finalize the questionnaire at the November meeting.
  - 7) Mr. Janssen stated that there will, undoubtedly, be a county by county fight when talking about formulas and allocations between counties and that the solution is going to have to be Politically workable. Mr. Abel echoed this concern.
  - 8) Mr. Smith thought that many counties will seek reimbursement for court facilities if and when they are turned over to state management. Mr. Janssen questioned whether resolution of this issue is that part of the committee's charge? The consensus of the members was that it is one of the committee's responsibilities.
  - 9) The issue of the number of judgeships driving facility requirements was discussed as well as the need for an acceptable projection. Justice Kremer cautioned the members to be careful of trying to design the "ideal court system" and to base their recommendations on reality and reasonable predictions of the future. Mr. Klass felt that this is not a simple task; questions will come down to "what are we getting for 'X' – and why?"
  - 10) Mr. Janssen asked if the task force was coming up with a proposed standard and letting someone else worry about how to use it? Mr. Klass cautioned the members to avoid, as a group, "averaging everything up" and creating standards no-one can afford or implement.
  - 11) Mr. Janssen emphasized that a special effort must be made to "cross-pollinate" information between committees to ensure a coordinated effort and avoid going down fruitless paths. Mr. Abel echoed this concern. Justice Kremer said that the task force needs to set aside time in the general meetings for the "reports" of each committee.
  - 12) Mr. Buck noted that working groups are, probably, not yet required for this committee. Once financing and operations models are available, the committee might want to establish a working group to evaluate the pro's and con's of each model. Mr. Gardner noted that the committee might also want to commission a working group on revenue generation at some point in the future. Mr. Janssen asked what was the purpose of working groups? Justice Kremer said that the purpose was to bring the consultants together with expert or interested parties to review a particular topic in detail and present their findings to the committee.
  - 13) Mr. Janssen told the members that they need to remember that the State has agreed to take over operations of courts and will buy out 18 more counties in July.